

BEFORE THE NEW MEXICO PUBLIC REGULATION COMMISSION

**IN THE MATTER OF AMENDING RULES PERTAINING)
TO FIRE AND SMOKE DAMPERS PURSUANT TO) Docket No. 20-00105-FM
SECTION 52A-52-15.1 OF THE STATE FIRE MARSHAL)
STATUTES)**

NOTICE AND ORDER TO HOLD PUBLIC COMMENT HEARING VIA ZOOM

This matter comes before the New Mexico Public Regulation Commission (the “Commission”) upon the Commission’s own motion.

Whereupon, being duly informed,

THE COMMISSION FINDS:

1. On June 24, 2020, the Commission issued its Order Issuing Notice of Proposed Rulemaking (the “NOPR Order”). In the NOPR Order, the Commission, among other things, scheduled a public comment hearing in this matter for **2:00 P.M. on October 21, 2020**, at the offices of the Commission. The Commission also stated:

If emergency conditions arising from the COVID-19 pandemic persist at that time, the commission will announce any alternative forum, such as a conference call, through which the hearing may be held.

2. The Commission has jurisdiction over this matter.

3. The Commission finds that, in light of ongoing pandemic conditions in the state, the public comment hearing should be held via Zoom instead of in person.

IT IS THEREFORE ORDERED:

A. The previously scheduled public comment hearing in this matter shall be held via Zoom instead of at the offices of the Commission. All other provisions of the NOPR Order stand insofar as they do not conflict with this Notice and Order.

B. Any person who does **not** wish to make a comment at the public comment hearing may view the hearing via streaming video. A link to the streaming video will be posted on the

Commission's website at www.nmprc.state.nm.us the day of the hearing. The Commission will also file the transcript of the public comment hearing in this docket.

C. Any person who may wish to comment at the public comment hearing must notify the Commission's Office of General Counsel no later than 5:00 p.m. on Tuesday, October 20th, 2020 by calling or emailing Isaac Sullivan-Leshin at isaac.sullivan-leshin@state.nm.us or (505) 670-4830. All persons who wish to comment at the public comment hearing can elect to join the hearing via the Zoom application or by calling in via telephone. The Commission's Office of General Counsel will provide instructions on how to join the Zoom hearing to all persons who provide sufficient and timely notice as per this paragraph.

D. This Notice and Order shall constitute notice of this change of venue for the public comment hearing. This Notice and Order shall be provided to the public, in conformity with the State Rules Act, Sections 14-4-1 *et seq.* (amended 2017).

E. This Notice and Order shall be e-mailed to all persons listed on the attached Certificate of Service.

F. This Notice and Order is issued by the Chair of the Commission or by any single Commissioner in accordance with 1.2.2.30(B) NMAC.

ISSUED at Santa Fe, New Mexico, this 24th day of September, 2020.

NEW MEXICO PUBLIC REGULATION COMMISSION



/s/ Theresa Becenti-Aguilar, electronically signed
COMMISSIONER THERESA BECENTI-AGUILAR

BEFORE THE NEW MEXICO PUBLIC REGULATION COMMISSION

**IN THE MATTER OF A COMMISSION RULEMAKING)
AMENDING RULES PERTAINING TO FIRE AND SMOKE) Case No. 20-00105-FM
DAMPERS PURSUANT TO SECTION 59A-52-15.1 OF THE)
STATE FIRE MARSHAL STATUTES)**

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing **Notice and Order to Hold Public Comment Hearing Via Zoom** issued on September 24th, 2020 was sent via email to the parties listed below:

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AND SENT VIA USPS FIRST CLASS MAIL TO:

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THE FOLLOWING PARTIES SUBMITTED WRITTEN COMMENTS IN THIS MATTER WHICH DID NOT LIST AN EMAIL ADDRESS OR PHYSICAL ADDRESS SO THERE WAS NO WAY TO SERVE THEM THE FORGOING:

- Jack Milarch on behalf of NM Homebuilders Association
- Carla Kugler on behalf of Associated Builders and Contractors

DATED this 24th day of September, 2020.

NEW MEXICO PUBLIC REGULATION COMMISSION

/s/ Isaac Sullivan-Leshin, electronically signed
Isaac Sullivan-Leshin, Paralegal

Sullivan-Leshin, Isaac, PRC

From: Sullivan-Leshin, Isaac, PRC
Sent: Thursday, September 24, 2020 4:36 PM
To: Records, PRC, PRC
Subject: 20-00105-FM; Filing Submission
Attachments: 20-00105-FM, Notice and Order to Hold Public Comment Hearing Via Zoom.pdf

IN THE MATTER OF AMENDING RULES PERTAINING TO FIRE AND)
SMOKE DAMPERS PURSUANT TO SECTION 52A-52-15.1 OF THE) Docket No. 20-00105-FM
STATE FIRE MARSHAL STATUTES)
_____)

Please file the attached NOTICE AND ORDER TO HOLD PUBLIC COMMENT HEARING VIA ZOOM into the above captioned case.

Thank you.